



A MONTHLY JOURNAL
FOR IOWA EDUCATORS

School Leader Update

March 2017

Step up your game: Attend the Educator Quality Conference

Join teachers, teacher leaders, mentors and administrators on April 6 from across the state to learn and plan for students' future successes and achievements.

The conference will be held at Simpson College in Indianola, just south of Des Moines.

The conference will engage and unite educators from administrators to the classroom teacher. Topics covered include a focus on unifying educators, and examine the roles of positions from Teacher Leadership and Compensation (TLC) to English language learner teachers (ELL).

First- through third-year teachers are encouraged to attend, in addition to TLC and ELL educators. Schools are encouraged to bring teams. Registration deadline is March 17. [Register today.](#)



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Working to make ESSA Iowa-specific

As educators, student success drives our work. While we may play different roles and work in various parts of the system, all of us are committed to meeting the needs of all Iowa students. We now have a federal policy framework, the Every Student Succeeds Act (ESSA), which better supports these efforts.

Over the past year, the Iowa Department of Education has engaged stakeholders in a collaborative effort to develop Iowa's ESSA plan. The Department posted the first draft of the plan for feedback on Jan. 6.

We received more than 100 comments on the plan through our online feedback form. In addition, we heard from people around the state at our nine informational tour events.

This outreach complements the steps we took in the fall, which included listening sessions in each Area Education Agency (AEA) region, targeted stakeholder outreach on specific topics, and multiple meetings with our ESSA statewide advisory committee. These actions were designed to ensure diverse voices have input in the development of this plan.

The Department is now beginning the process of revising the draft plan based upon the input we've received. The first window of feedback closed on Feb. 15 and the advisory committee met on Feb.17.

The plan is divided into six sections: long-term goals; consultation and performance management; academic assessments; accountability, support, and improvement for schools; supporting excellent educators; and supporting all students. While the federal government appears



Director Ryan Wise

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E-Rate Form 471 webinar available

The E-rate program Form 471 application window for funding year 2017 (2017-18 school year) opened on Monday, Feb. 27, and will close on Thursday, May 11, at 10:59 p.m. The form is available through the E-rate Productivity Center or EPC portal [here](#). Participation in one of the informational webinars is encouraged to ensure correct application. No advance registration is needed for the informational webinar.

E-Rate funding year 2017: Filing Form 471 (repeat sessions; select one)

- Wednesday, March 8, 10-11:30 a.m. Click [here](#).
- Tuesday, March 14, 3-4:30 p.m. Click [here](#).
- Thursday, March 16, 9-10:30 a.m. Click [here](#).
- Wednesday, March 22, 10-11:30 a.m. Click [here](#).

For those unable to participate in any session, a recording will be made available after March 25. To obtain a link to the recording, contact Pamela Jacobs at 515-975-0071 or pam.jacobs@iowa.gov.

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poised to eliminate the regulations that produced the template with these sections, I am confident that the major themes we address in the draft plan will be included in the final version regardless of the format in which we submit it.

While I don't have the space here to share all of what we've heard, here are some of the questions the feedback is causing us to ask as we refine the plan:

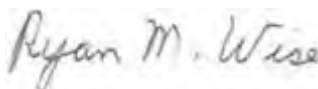
- What are the pros and cons of including science as part of Iowa's accountability measures?
- How should we provide communication about ESSA that is understandable to everyone?
- What are the pros and cons of using nationally recognized assessments for high school in lieu of a statewide assessment?
- What are strengths of the proposed school quality measure and what should be changed?
- How do we best partner with teacher and administrator preparation programs to support priorities outlined in the plan?
- Should we include a section on standards?

What is the process we should use to develop examples of best practices in delivering a well-rounded education?

As we move forward in answering these questions within the context of Iowa's ESSA plan, we will continue to ensure all voices are heard, including those who have traditionally been underrepresented in these conversations. We will also consult regularly with educators and other stakeholders, including our advisory committee, as we revise the plan.

As we move into the final third of the school year, I encourage you to stay engaged in the ESSA conversation. Check out the [ESSA page of the Department's website](#), send us your questions (email ESSA@iowa.gov), and review and comment on the revised draft when it is posted in May.

We truly appreciate the feedback we've received to date and we look forward to the work ahead.



Iowa team to develop fine arts standards

Iowa Department of Education Director Ryan Wise announced members of a new team that will develop recommended statewide standards in fine arts. The Fine Arts Standards Adoption Team met for the first time on Feb. 21.

The team's mission is to create a series of concepts and skills designed to foster creativity and critical thinking in fine arts, which include visual art, general music, instrumental music, vocal music, theater, dance and media arts.

"Iowa is committed to ensuring our students have access to a quality learning experience in all subjects, and that includes fine arts," Wise said.

"Standards are a key component of high-quality instruction. The development of statewide standards marks a major step forward in further strengthening arts education in Iowa."

[Read more.](#)



Teachers on an initial license — now what?

Teachers who hold the initial license need two full years of experience in an Iowa public school (to include mentoring/induction and verification of meeting the Iowa teaching standards) or three years in any combination of Iowa public school, accredited private school, or out-of-state experience. Candidates must wait until after the last day of school in their final year of needed experience to convert to the standard license.

If teachers are meeting the standards but their initial license expires before the end of the school year, they may apply for an [extension](#) to add more time to their license. If teachers are not meeting the standards, they will need a [special extension-standards not met](#).

If teachers are leaving a school district at the end of the school year and do not have enough experience to convert to a standard license, or have not met the standards, the district needs to submit a [status report](#).

For questions, contact Joanne Tubbs at 515-281-3611 or joanne.tubbs@iowa.gov.

Guidance issued on IAC Chapter 46

The Iowa Department of Education recently issued [guidance](#) for secondary school districts on [281—Iowa Administrative Code \(IAC\) chapter 46](#), which implements the provisions of House File (HF) 2392, division II. The State Board of Education noticed the IAC chapter 46 in November 2016 and adopted the rules in January 2017. It is anticipated the chapter 46 rules will go into effect in March, pending review by the Administrative Rules Review Committee.

The recent guidance addresses the following content areas:

1. Regional career and technical education planning partnerships
2. Career and technical education service areas
3. Career and technical education program approval and review
4. Program advisory councils
5. Secondary career and technical education funds
6. Future work of the Department and tentative deadlines

In addition, information to assist secondary career and technical education regional planning partnerships as they develop multi-year strategic plans is also available on the Department [website](#).

For questions, contact Eric St Clair at 515-725-0127 or eric.stclair@iowa.gov.



Iowa Learning Online summer enrollment now open

Iowa Learning Online (ILO) is now accepting enrollments for the summer semester. Students develop online skills for future learning and are in cohorts with peers from across Iowa. All classes are taught by Iowa licensed and appropriately endorsed teachers.

Each summer course enrollment includes a four-week grace period. Local schools will be responsible for collecting the \$250 per course enrollment fee from parents/guardians for students remaining in courses after the drop date. After the grace period ends, the local school will be billed \$250 per enrollment. All schools may pass on the costs of ILO courses to parents/guardians during the summer term only. View the [course descriptions](#), [log in](#) or [sign up](#) to enroll your students. For registration questions, contact ILO at registrar@iowalearningonline.org or view our [waiting list procedures](#).



Statutory changes impact roles of Senior Year Plus programs

Legislation passed during the 2016 session revised Iowa Code chapter 261E (Senior Year Plus) to limit a school district's use of postsecondary enrollment options (PSEO) as a means to enroll students in community college courses. Starting with the 2017-18 academic year, PSEO will be a permissible means for a school district to enroll students in community college coursework only in rare cases, such as if the school district does not have a concurrent enrollment agreement in place. In practice, this means that the majority of high school student enrollment in community college coursework will be through concurrent enrollment programs.

While this change limits the use of PSEO for student enrollment in community college courses, it does not limit its use as a means for enrolling students in coursework offered by other eligible postsecondary institutions, including Iowa's public universities, private colleges and universities, and eligible proprietary institutions. A school district's authority to determine which community college courses to provide through concurrent enrollment is not impacted by the statutory changes. For questions, contact Eric St Clair at 515-725-0127 or eric.stclair@iowa.gov.

Statewide TLC survey begins March 6

Starting the week of March 6, all Iowa public school teachers and administrators will have the chance to provide feedback on opportunities for collaboration, professional development, career advancement, and perceived quality and effectiveness of Teacher Leadership and Compensation (TLC). Survey links will be emailed directly to superintendents and principals for distribution.

The findings from the survey will allow the Iowa Department of Education to determine if TLC is making progress toward achieving its intended goals. In addition, the feedback will be used by the Commission on Educator Leadership and Compensation and the Statewide TLC Support Group to determine support for districts and to make recommendations on the system as a whole. Finally, the results of the survey, along with the results of the Department's other TLC evaluation efforts, will be shared with stakeholders throughout the state to communicate the impact of TLC.

Participation in the survey is voluntary, but highly encouraged. Weekly prize drawings will be held and districts with at least a 50 percent teacher response rate will receive a district level-report. This study is being conducted by the [American Institutes for Research \(AIR\)](#), an independent, nonpartisan, non-profit research organization. This survey is anonymous with no way to track the responses back to individuals who complete the survey. More information can be found [here](#).

Iowa Teacher Performance Assessment webinars

The [Iowa Teacher Performance Assessment](#) (IA-TPA) project is gearing up for the 2017-18 school year and the implementa-



tion research study. If you are interested in using the IA-TPA to support beginning teachers through performance assessment in your current Mentoring and Induction program, then this intro webinar is for you. Join other innovative Iowa educators and learn how mentors in your district can use the IA-TPA tool to provide formative feedback to beginning teachers on mastery of the Iowa Teaching Standards.

Getting ready for the IA-TPA in 2017-18

March 29, 4 p.m.

[Webinar registration.](#)

Teachers needed to teach blind or deaf learners

Teachers of learners with sensory disabilities (blind/visually impaired and deaf/hard of hearing) are in short supply. The Iowa Department of Education, in partnership with Iowa School for the Deaf and Iowa Educational Services for the Blind and Visually Impaired, is offering a financial incentive for current Iowa teachers to get an endorsement and teach in this shortage area.

The "Grow Your Own" program assists Iowa teachers to obtain an endorsement in one of the two sensory disability areas. This program is intended to support teachers in completing an online preparation program while they are teaching. Obtaining either the Blind/Visually Impaired or the Deaf/Hard of Hearing endorsement takes approximately two years.

Upon completion of an approved teacher preparation program and attainment of the endorsement, award recipients will be expected to complete at least three years of employment within Iowa in a local school district, Area Education Agency, Iowa Educational Services for the Blind/Visually Impaired or Iowa School for the Deaf.



For program details and application information, visit

[Grow Your Own - B/V](#) and [Grow Your Own - D/HH](#)

For questions, contact Marsha Gunderson at

712-366-3284 or mgunderson@iowaschoolfortheblind.org.

Statewide Leadership Webinars (C4K)

The monthly Leadership Webinars are offered to create opportunities for ongoing professional learning and support for administrators related to the tools and resources for Multi-Tier System of Supports (MTSS) and the early literacy initiative. In addition to tools and resources, the webinars will intentionally link to the Iowa Standards for School Leaders (ISSL); put the learning into actual leadership practice; and make connections and staying ahead of potentially new initiatives, laws and expectations through Differentiated Accountability.

These webinars are being developed by a team representing schools, Area Education Agencies (AEAs), and the Iowa Department of Education who serve in various leadership roles. The team is designing the webinars based on the feedback and the needs of administrators and leaders in the field. Each webinar is focused on helping administrators navigate and align the demands of their time; and provide a relentless effort in supporting instructional practices and improving student learning.

Date: March 28 Time: 1:30-3 p.m.

ZOOM Link: <https://heartlandaea.zoom.us/j/3729173072>

Topic: Teacher Leaders Continued...

Leveraging Teacher Leaders Within School Improvement Work

- TLC Framework and Roles
- Outcomes for Leveraging Teacher Leadership
- The Principal's Support for Teacher Leaders

[Link](#) to past and future webinars.

C4K PRESS Path to Reading Excellence Support Webinars

The C4K PRESS Path to Reading Excellence in School Sites Support Webinars are provided by our PRESS Statewide Committee for all educators in Iowa. Join other educators as they participate in a webinar with Area Education Agency consultants on Quality Core Instruction, Data Driven Decision Making, Classwide Interventions, Targeted Interventions and Progress Monitoring.

ZOOM Link for all three sessions listed below: <https://heartlandaea.zoom.us/j/3729173072>

March 28 - 1:30 - 2:30 p.m.

Progress Monitoring and Decision Making. Information and Clarity on Classwide Interventions and Early Literacy Interventions

April 19 - 2 - 3 p.m.

Classwide to small group instruction/ How do I manage it all?

May 12 - 10- 11 a.m.



Guidance on 4+ services updated for 2017

The [guidance on 4+ services](#) has been updated and is reflective and consistent with U.S. Department of Education and the Iowa Department of Education IDEA guidance over the past 25 years. The updated guidance now provides all relevant information located within one document. The guidance provides a foundation from which to make decisions based on individual needs and applies to students who will begin 4+ services in August 2017.

4+ services are secondary services which are part of the student's secondary schooling and included in his or her Individualized Education Program (IEP). The purpose of these services is to fulfill unmet transition needs resulting from the student's disability as identified in the student's IEP.

4+ services are those provided through a district's continuum of services which fill any gaps between instruction designed for the student to complete a district's secondary general education requirements (including Carnegie units) and completion of Free Appropriate Public Education (FAPE). Services must be provided when the student needs them, for as long as the student needs them, as long as the student is eligible to receive special education services.

Because 4+ services are part of a district's secondary program, the Local Education Agency (LEA) continues to have responsibilities for these services. Those responsibilities include:

- The LEA continues to have responsibility for the student's IEP.
- The IEP team develops the IEP, including the goals and for ensuring FAPE.
 - ◊ Comprehensive
 - ◊ Individualized based on student need
 - ◊ Progress monitoring and data collection
- The student cannot have graduated.
- The services are provided when the student needs them, for as long as the student needs them, as long as the student is eligible for special education services.

Due to the fact that 4+ services are part of a district's secondary programming, the LEA has financial obligations in regards to these services. These financial obligations are specifically outlined in the guidance document, including information regarding residential costs, when applicable. Some of the highlights of these financial obligations are as follows:

- The LEA is responsible for transportation unless the student is open enrolled.
- Cost of books, supplies and other materials to provide FAPE must be covered by the district.
- Books, supplies and other materials purchased by the district are the property of the district.
- General supplies are the responsibility of the student, as would be the case for students without disabilities.

There is also a [recorded webinar](#) on this topic on the Special Education State Guidance page. For questions, contact Barb Guy



Bringing Iowa history to the state's classrooms

A statewide advisory group is working to bring Iowa history more into the mainstream of Iowa's social studies classes.

It's the hope of the Iowa History Advisory Council that kindergarten-through-12th-grade students and teachers will know more about the rich history of the state. Convened by the Iowa Department of Education in 2015, the council—made up of educators, college professors and members from a wide range of history organizations — is working to create and sustain a website to serve as the hub for Iowa history resources.

The council also is working to create a variety of Iowa history curriculum materials that support new Iowa history standards and promote best practices in the teaching and learning of state and local history. In addition, the council will coordinate and promote professional development opportunities in Iowa history for teachers through the Area Education Agencies, Iowa cultural partners, and higher education.



The council's work coincides with a \$100,000 grant the Library of Congress awarded the Iowa Department of Cultural Affairs to create curricular materials using primary sources from both the Library of Congress and the State Historical Museum of Iowa. The project will focus on a range of topics in Iowa history, including the Underground Railroad, Herbert Hoover and Iowa's peace-making role in the Cold War.

The council put out a [report](#) last fall with recommendations on how to improve teaching Iowa history in classrooms.

[Read more.](#)

Celebrate Iowa's Success was a success!

Thank you to everyone who participated in this wonderful event for all of our Iowa educators! Planning has already started to make it even bigger and better next year to accommodate more Iowa educators to continue to learn, share and celebrate together.

This event was a success because of the wonderful school teams and educators that shared their successes during our breakout sessions. Thanks to everyone who presented during our day together.

Anderson Elementary/Bondurant Farrar	Marcie Lentsch/Prairie Lakes AEA
Atkins Elementary and Keystone AEA	North Fayette/Valley Middle School
Brianna Sayre Geiser /Heartland AEA	Orchard Hills Elementary and AEA 267
Delwood Elementary/Delwood Schools	Prairie City Elementary/PCM
Deborah Reed, Iowa Reading Research Center	River Valley Elementary/River Valley Schools
Green Hills AEA/Sidney Elementary/Shelby County Catholic	Scott Slechta, Iowa Teacher Of the Year
Hillside Elementary/West Des Moines Schools	Urbandale Community School District
Inman Primary/Red Oak Schools	Wilder Elementary/Indianola
Kathy Patton/PRESS Literacy Coordinator	

Workshops for School Codes for the Exchange of Data

Watch for upcoming details regarding School Codes for the Exchange of Data (SCED). Workshops are being planned for late March or early April. These workshops will give districts guidance on the newly released SCED codes and hands-on time to update and correct course codes in their local systems.

For all public districts not yet using Student Locator Framework (SLF) for state IDs, or for those districts wanting a refresher on SLF or on resolving near matches, call 515-725-2252 or email david.canaday@iowa.gov.

Students learn critical nature of technology in agriculture

Can a group of rural Iowa high school students eradicate world hunger? Listening to the students in Jerry Driscoll's class, you would have to think yes.

Conversations about hybrids, increased yields, drought tolerance – all in a school-day's work where students question and challenge one another as they address world hunger.

Welcome to Driscoll's agriculture class – actually called precision agriculture – where students receive heavy doses of technological training. This isn't their grandfathers' farms; it is truly 21st century.

[Read more.](#)



Precision Agriculture instructor, Jerry Driscoll, challenges students to apply their knowledge and abilities to take on real-world problems.

Community colleges impact Iowa's economy

Iowa's community colleges provide a solid return on investment for both students and the state, according to a statewide analysis of the colleges' economic impact. The newly released study, *Analysis of the Economic Impact and Return on Investment of Education*, found that Iowa's community colleges collectively contributed \$5.4 billion into the state's economy and supported 107,170 jobs - roughly 6 percent of all jobs in Iowa - during fiscal year 2014-15.

The independent study, conducted by Economic Modeling Specialists International (EMSI), utilized academic and financial reports from the community colleges, as well as earnings and employment outcomes data from the Iowa Department of Education and Iowa Workforce Development.

"In addition to enrolling nearly 150,000 students each year and preparing them to meet the state's workforce needs, Iowa's community colleges have a significant impact on the business community," Iowa Department of Education Director Ryan Wise said. "This economic impact generates a return on investment for students, taxpayers, and society."

The alignment of education, workforce and economic development efforts is key to the Future Ready Iowa initiative launched in 2015 by Gov. Branstad and Lt. Gov. Reynolds. The initiative calls for 70 percent of Iowans to have education or training beyond high school by 2025 to ensure Iowa's workforce is equipped with the skills and education employers need.

[Read more.](#)

Early Childhood Preschool Programs

Iowa Quality Preschool Program Desk Audit pilot

School districts along with their community partners are invited to volunteer to participate in the pilot of the Iowa Quality Preschool Program Standards (IQPPS) Desk Audit for fall 2017. Communication about this opportunity was sent to district superintendents in February. School administrators need to share this information with community-based preschool programs that are following IQPPS as a Statewide Voluntary Preschool Program community partner or a community site providing early childhood special education services. Participation in the IQPPS desk audit pilot is voluntary.

The 2017-18 IQPPS desk audit pilot will determine usability and any adjustments prior to scaling statewide. The IQPPS desk audit will be based on a selection of criteria from the [revised IQPPS \(2017\)](#). Similar to the Universal Desk Audit for K-12, the IQPPS desk audit will open in September and is due Dec. 15. In addition, the IQPPS Desk Audit will be accessible through Consolidated Accountability and Support application (CASA).

A recorded Zoom webinar on March 1 from 9-10:30 a.m. will offer opportunity to learn more about the IQPPS desk audit pilot and ask questions. Information will be provided in CASA and on the Differentiated Accountability web page regarding the evidence districts participating in the pilot will need to provide for the IQPPS Desk Audit. The webinar recording will be posted to the [Differentiated Accountability webpage](#) at a later time.

District superintendents may respond to the survey to indicate availability and eligibility for district programs and their community partners to participate in the IQPPS desk audit pilot for 2017-18. Survey responses are due March 31. Only districts who are interested in participation in the IQPPS desk audit pilot need to respond to the survey at <https://www.surveymonkey.com/r/BYHGVLP>.

For questions about the IQPPS Desk Audit pilot, contact Jennifer Adkins at 515-725-2219 or jennifer.adkins@iowa.gov.

Statewide Voluntary Preschool Program application

School districts not currently participating in the [Statewide Voluntary Preschool Program](#) (SWVPP) may apply to become part of the program. The application to begin a preschool program in 2017-18 is posted on the [SWVPP web page](#) and is due April 6.

Districts newly implementing the SWVPP must fund the preschool program using other funding sources in 2017-18. Districts will receive state aid in their second year of SWVPP implementation based on the number of eligible children served in year one.

For information about the Statewide Voluntary Preschool Program for Four-Year-Old Children, contact Jennifer Adkins at 515-725-2219 or jennifer.adkins@iowa.gov.



Early Childhood Preschool Programs cont.

Revised Iowa Quality Preschool Program Standards

The State Board of Education approved the revisions of the Iowa Quality Preschool Program Standards (IQPPS) at the Jan. 19 board meeting. The IQPPS are one of the program standards approved by the Iowa Department of Education to be implemented by districts and community partners operating the Statewide Voluntary Preschool Program and preschool classrooms serving children receiving early childhood special education services. The three program standards approved are the following: IQPPS, National Association for the Education of Young Children (NAEYC) Program Standards and Accreditation Criteria, and the Head Start Program Performance Standards.

The IQPPS revisions are based on a rigorous review conducted by an IQPPS task team representing each Area Education Agency and early childhood consultants at the Department. The number of IQPPS criteria have been reduced from 172 to 132 across the 10 program standards. The IQPPS revisions are posted on the Department's website under the [Early Childhood Standards page](#).

The IQPPS (2017) will be the expectation for classrooms implementing IQPPS beginning fall 2017. School administrators should share this information with community-based preschool programs that are following IQPPS in order to meet requirements to follow program standards as a Statewide Voluntary Preschool Program community partner or a community-based program providing early childhood special education services.



For questions about the IQPPS (2017), contact Dee Gethmann at 515-281-5502 dee.gethmann@iowa.gov or Jennifer Adkins jennifer.adkins@iowa.gov.

Nutrition and Health Services

Fresh Fruit and Vegetable Program grant application available

The Iowa Department of Education is now accepting applications from elementary schools for the Fresh Fruit & Vegetable Program (FFVP) grant for school year 2017-18.

This is a grant opportunity for schools to provide children with free fresh fruits and vegetables during the school day. The goal is to create healthier school environments by expanding the variety of fruits and vegetables consumed, and by making a difference in children's diets to impact their present and future health.

Elementary schools having 50 percent or more of their enrolled students eligible for free or reduced-price meals are selected for the program based on an annual grant application. Priority must be given to schools with the highest free and reduced-price populations.



A student at Cardinal Elementary in Eldon, Iowa demonstrates a cantaloupe smile while enjoying the Fresh Fruit and Vegetable Program.

Applications must be submitted online in the [IowaCNP](#) by midnight on March 31. Visit the [FFVP website](#) for more information or contact Sandra Fiegen at 515-681-5750 or sandra.fiegen@iowa.gov.

School food service procurement plan for 2017-18

It is time for School Food Authorities (SFAs), Residential Childcare Institutions (RCCI), and non-public schools participating in any Child Nutrition Programs (CNP) to start to review and revise the current school year (SY) food service procurement plan in anticipation of the upcoming SY 2017-18 food service purchases.



Prior to determining the methods of procurement, obtaining quotes, or issuing sealed bids or proposals, the value of each procurement event must be determined.

Review all procurement events listed in the current SY's procurement plan to determine if procurement events need to be removed and new ones added. Use the [Procurement History Worksheet](#) shown at the October 2016 What's New in School Nutrition Procurement webinar to

document current SY purchases to determine each procurement event value. For questions, contact Keerti Patel at 515-281-3353 or keerti.patel@iowa.gov.

Nutrition and Health Services cont.

School nutrition summer training opportunities

Is your school striving for a successful nutrition program? School nutrition staff are invited to participate in *Summer Short Course* training offered by the Iowa Department of Education Bureau of Nutrition & Health Services and Iowa State University Extension & Outreach.

2017 workshops include: Manager's Update, New Manager Orientation, Healthy School Meals, Procurement Basics, Financial Management, HACCP 101 and ServSafe®. Descriptions of courses, dates and registration can be found at [Summer Short Course](#).

All school nutrition personnel are required to have documented training hours to meet professional standards. Professional Standards training enable staff to have knowledge needed to plan, prepare and purchase healthy school food to create nutritious, safe and enjoyable school meals. Encourage all newer managers and those needing an update on meal pattern and nutrition requirements to attend. Networking with other Iowa school nutrition managers is always valuable. For more information about Summer Short Courses, contact Jean Easley at 515-725-2627 or jean.easley@iowa.gov.

Meningococcal vaccine requirement for 2017-18 school enrollment

The administrative rulemaking process to implement the meningococcal vaccine requirement passed during the 2016 legislative session for all seventh-and twelfth-grade students is completed. The administrative rules can be accessed at the following link: [Chapter 7 Immunization and Immunization Education: Persons Attending Elementary or Secondary Schools, Licensed Child Care Centers or Institutions of Higher Education](#).

Beginning with the 2017-18 school year and thereafter, students entering seventh grade born on or after Sept. 15, 2004, shall have one dose of meningococcal conjugate vaccine (A,C,W,Y). Students entering twelfth grade born on or after Sept. 15, 1999, shall have two doses of meningococcal conjugate vaccine (A,C,W,Y); or one dose if the dose was previously received when the student was 16 years of age or older. There is no provisional period to implement this requirement if the seventh grade or twelfth grade student has received no meningococcal conjugate vaccine.



Health requirements for school enrollment are located on the Iowa Department of Education's [Student Health Requirements](#) webpage. Guidance for school administrators on how to address the school immunization requirement are located in the [SLU October 2014 article](#). There is a "Questions and Answer" document for more information regarding the requirement available on the Iowa Department of Public Health's (IDPH) Immunization Program [webpage](#).

For additional information or questions, contact Melissa Walker at 515-218-5327 or melissa.walker@iowa.gov, or Don Callaghan at 1-800-831-6293 or donald.callaghan@idph.iowa.gov, or Bethany Kintigh at 1-800-831-6293 or bethny.kintigh@idph.iowa.gov.



Legal Lessons

Contact Nicole Proesch for all Legal Lessons items: nicole.proesch@iowa.gov or 515-281-8661

In like a lamb, out like a lamb?

We are headed into March with little snow this year in central Iowa. I am disappointed! I haven't been able to take the kids sledding once this year because of a major shortage of white fluffy snow. Am I the only one disappointed in Mother Nature for not bringing us more beautiful fluff?

When I was a kid my dad would bundle me and my sister up like Ralphie and Randy from the Christmas Story – although he affectionately referred to us as Burt and Squirt. We would get out the toboggan and the flexible flyer, go to Bever Park, find the tallest and longest hill to sled on, race down the hill and fall off the sled.

After several runs, cold, tired, and a little bruised, we would of course head home and gulp down hot chocolate with marshmallows. I love these memories – thank you Dad! Now I need to make a few of my own memories this year. So, I am still crossing my fingers for one really good snow – so we can hit the hills and have some fun before spring quietly arrives. In like a lamb and out like a lion!



In this March edition of legal lessons, I bring you information on Education of Immigrant Children, Good Conduct Policies and Co-Curricular Activities, and New Administrative Rules.

Education of Immigrant Children

In 1982 the U.S. Supreme Court held that the Equal Protection Clause of the Fourteenth Amendment was violated by a Texas law that authorized public school districts to deny enrollment to children not "legally admitted" into the United States. That holding, in *Plyler v. Doe*, 457 U.S. 292 (1982), was dependent on the Court's conclusions that illegal aliens are "persons" who may claim the benefit of the Equal Protection Clause; that no substantial interest of the State of Texas was furthered by discriminating against children who had no control over their parents' conduct nor their own undocumented status, but who would be disadvantaged for a lifetime if denied a public education; and that this law was not an effective means of dealing with the State's interest in preserving its limited educational resources because prohibiting employment of illegal aliens presented a better alternative to dealing with an influx of illegal immigrants.

Thirty-five years later and *Plyler* is still controlling law today for all states. So what is the difference between immigrant and non-immigrant students?

Immigrants (adults and children) come to the U.S. with the intention of making this country their permanent home. Other than for occasional visits, immigrants have no intention of returning to their countries of origin. Schools may not question immigrant students as to their "legal" status and may not demand their "documentation." Pursuant to *Plyler v. Doe*, public school districts shall provide these students, assuming they meet residency requirements, with tuition-free educations.

Continued on page 15

Legal Lessons continued

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On the other hand, there is no obligation of public schools to provide a tuition-free education to non-immigrant students. The most common categories of non-immigrant students are foreign exchange students (typically holders of J-1 visas) and non-exchange students (F-1 visa holders) living with relatives other than parents. The common thread for the examples given is that the students are not living with their parents and that they hold visas. To obtain a visa, the student must sign an application stating that s/he is a resident of a country other than the U.S. and *intends to return to that other country*. [If the student is not living with parents, a school may ask for their visa status because that student is presumed to not be a resident *of the district* just as any citizen of the U.S. is not presumed to be a resident *of the district* if living in the district without parents. A district could be delicate about it...asking "is this your host family through a Foreign Exchange Program?"]

Non-immigrant students who hold a visa must be asked by school officials for their visas. This is because schools are required by federal law to charge tuition of those who hold an F-1 visa. Schools are also required to fill out an [I-20 form](#) before a student with an F-1 visa can be enrolled with the school. This is a form of the federal Department of Homeland Security (DHS) and not a form from the Iowa Department of Education.

A student who indicates that s/he has no visa is to be treated as an immigrant, based on the *Plyler* holding, and cannot be further questioned by school officials. The federal government (DHS) does not require any school to request immigration status.

The federal government (DHS) does not require schools to report to the government if they know a student is undocumented. DHS may require schools to report to the government about students who are here on a student visa, but who may be in violation of the terms of their visa.

Records and access to students

1. Records Requests

- a. *No subpoena*. If local law enforcement make a request – either written or oral – for names and addresses of students, there may or may not be an obligation to comply. Does your school list names and home addresses as “directory information?” If yes, this is public information that must be given to law enforcement under Iowa law (Iowa Code section 22.7) and under the Federal Educational Rights to Privacy Act (FERPA). If names and home addresses have not been designated by the school as directory information, there is no obligation to comply. Two additional cautions:
 - i. If a parent has exercised the “opt out” option for directory information, DO NOT release the name and address of that parent’s child.
 - ii. Student directory information, especially for elementary schools, may be defined to include no information. (High schools probably need to include names as directory information in order to publish honor rolls, sport rosters, etc. No such need may exist for younger students.)

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Legal Lessons continued

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- b. *Subpoena from state agency.* If a state agency presents a lawful subpoena for student records, the district must comply. Unless a court has ordered otherwise, the district must make reasonable attempts to give families notice of the subpoena and of the nature of the requested records.
- c. *Subpoena from federal agency.* If a federal agency subpoenas school records, have the district's attorney review the subpoena as soon as possible to determine what next steps must be taken and if there are any notice requirements to parents or guardians.

With any request for records, contact the district's attorney. But this is especially crucial when the district receives a subpoena for records.

2. Access to Students - We strongly encourage school officials to cooperate with law enforcement within the bounds of the law and local school policy. If federal immigration officials or local law enforcement appear at a school seeking access to students (for interviews and/or questioning), a school district should advise all staff to immediately contact the superintendent and the school district's attorney for guidance, particularly with respect to its duties under education law, *Plyler*, and state laws before allowing access to a student.

Good Conduct/GPA Policies and Curricular and Co-Curricular Activities

The Iowa Department of Education and the Iowa High School Music Association (IHSMA) occasionally receive questions about the application of locally developed Good Conduct "minimum grade point" policies to students who participate in curricular activities (those activities that are part of the curriculum), which generate grades or academic credit, and co-curricular activities (those activities that are outside of but usually complementing the regular curriculum). The school must balance (1) the interests in ensuring that it is represented by performers who uphold high standards of citizenship and academic attainment with (2) its obligation to ensure that students' academic records accurately reflect each student's actual academic achievement.

If a student is a representative of a school in a performance or competition (whether sponsored by the IHSMA or not), a district may permissibly exclude a student based upon violations of a Good Conduct policy or a minimum grade point standard only if it is co-curricular or in nature. The district must ask whether the performance or competition is curricular or co-curricular in nature.

Note: The IHSMA defines music events under its jurisdiction as either "competitive" or "evaluative." If the music event is "evaluative" (ratings are given but schools are not in competition with each other), the IHSMA permits the Academic Eligibility Rule to be set aside if the school has deemed the music event to be curricular. The IHSMA applies the Academic Eligibility Rule to all "competitive" events (events where placings or rankings are given). For that reason, "evaluative" music events may be curricular or co-curricular. "Competitive" music events may not be curricular in nature: they may only be co-curricular.

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- I. If being excluded from the music event or performance due to a Good Conduct or minimum GPA policy violation *will have no effect on a student's academic record, the activity is co-curricular or in nature*. No further action is required, and the district may apply its policy and the IHSMA Academic Eligibility Rule.
- II. If being excluded from the music event or performance due to a Good Conduct or minimum GPA policy violation *will have an actual or potential negative effect on a student's academic record, the activity is curricular in nature*. The student may not be excluded from that activity based on application of a Good Conduct or minimum GPA policy. To do otherwise would be contrary to State Board decisions. Penalizing a student by reducing the student's grades for acts that have no relation to the subject matter being assessed would be an impermissible double punishment and is contrary to the best interest of education. See, e.g., *Audubon Cmty. Sch. Dist.*, 13 D.o.E. App. Dec. 284 (1996); *Dallas Center-Grimes Cmty. Sch. Dist.*, 13 D.o.E. App. Dec. 332 (1996); *Algona Cmty. Sch. Dist.*, 5 D.o.E. App. Dec. 270 (1987); see also Larry Bartlett, *Academic Evaluation and Student Discipline Don't Mix: A Critical Review*, 16 J.L. & Educ. 155 (1987). In *Valentine v. Independent Community School District*, 187 Iowa 555, 174 N.W. 334 (1919), the Supreme Court of Iowa overturned a school district's decision to withhold earned diplomas and grades from graduates who refused to wear caps and gowns for commencement activities. For this reason, IHSMA "competitive" events cannot be used to determine a child's course grade: application of the IHSMA's Academic Eligibility Rule may result in a prohibited double punishment.

New rules effective March 22

Several new administrative rules will go into effect March 22. The new rules include changes to Chapter 35 – Educational Standards and Program Requirements for Children's Residential Facilities, Chapter 24 – Community College Accreditation, Chapter 46 – Career and Technical Education, and Chapter 79 – Standards for Practitioner and Administrator Preparation Programs. See the full text of the adopted rules below.

[Chapter 35 - Educational Standards and Program Requirements for Children's Residential Facilities](#)

[Chapter 24 – Community College Accreditation](#)

[Chapter 46 – Career and Technical Education](#)

[Chapter 79 - Standards for Practitioner and Administrator Preparation Programs](#)

For comments or questions on the rules contact Nicole Proesch at 515-281-8661 or nicole.proesch@iowa.gov, or Phil Wise at 515-281- 4835 or phil.wise@iowa.gov.

Students with Disabilities

For questions regarding students with disabilities please contact Thomas Mayes at 515-242-5614 or thomas.mayes@iowa.gov.

Calendar

March 31 • Last date to submit LEA and AEA electronic annual audit of prior year to DE and Auditor of State's Office



It is the policy of the Iowa Department of Education not to discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, gender, disability, religion, age, political party affiliation, or actual or potential parental, family or marital status in its programs, activities, or employment practices as required by the Iowa Code sections 216.9 and 256.10(2), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d and 2000e), the Equal Pay Act of 1973 (29 U.S.C. § 206, et seq.), Title IX (Educational Amendments, 20 U.S.C. §§ 1681 – 1688), Section 504 (Rehabilitation Act of 1973, 29 U.S.C. § 794), and the Americans with Disabilities Act (42 U.S.C. § 12101, et seq.). If you have questions or grievances related to compliance with this policy by the Iowa Department of Education, please contact the legal counsel for the Iowa Department of Education, Grimes State Office Building, Des Moines, IA 50319-0146, telephone number 515/281-5295; or the Director of the Office for Civil Rights, U.S. Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661, telephone number 312-730-1560, fax 312/730-1576, e-mail: OCR.Chicago@ed.gov



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